

Entered: December 5th, 2019
Signed: December 4th, 2019

SO ORDERED



Lori Simpson
LORI S. SIMPSON
U.S. BANKRUPTCY JUDGE

**IN THE UNITED STATES BANKRUPTCY COURT
FOR THE DISTRICT OF MARYLAND
at Greenbelt**

In re:

Gregory B. Myers,

Debtor.

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Case No. 15-26033-WIL
Chapter 7

Gregory B. Myers,

Plaintiff,

v.

Brian King, et al.,

Defendants.

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Adversary No. 19-00427

ORDER REMANDING CASE

The above-captioned adversary proceeding was commenced on November 13, 2019, upon the Notice of Removal filed by Maurice VerStandig. The Notice of Removal states that Gregory Myers (the "Debtor") filed a third-party claim and counterclaim against various parties (the "Myers

Defendants”) in Consolidated Case No. 451611-V pending in the Circuit Court for Montgomery County, Maryland alleging that the Myers Defendants violated Section 362 of Title 11 of the United States Code (the “Third Party Complaint”). Because the Third Party Complaint asserts that the Myers Defendants violated the automatic stay arising in the Debtor’s bankruptcy case pending in this Court, the Myers Defendants consented to the removal of the Circuit Court Action.

On December 3, 2019, the Debtor filed a Notice of Voluntary Dismissal of the Third Party Complaint pursuant to Fed. R. Civ. P. 41, made applicable to this proceeding by Fed. R. Bankr. P. 7041. Based on the dismissal of the Third Party Complaint, and this Court having previously elected to abstain from exercising jurisdiction over the underlying Circuit Court Action¹, the Court will remand this matter to the Circuit Court for Montgomery County, Maryland.

Accordingly, it is, by the United States Bankruptcy Court for the District of Maryland, hereby

ORDERED, that the above-captioned adversary proceeding is remanded to the Circuit Court for Montgomery County, Maryland pursuant to 28 U.S.C. § 1452(b).

cc: All Counsel
All Parties
United States Trustee
Chapter 7 Trustee: Roger Schlossberg

END OF ORDER

¹ See Order of Abstention (Docket Entry No. 28) entered on January 30, 2019, in Adversary Proceeding 18-00407.